

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 19-03121-01-CR-S-MDH</b>
	)	
<b>TYRONE WALLACE,</b>	)	
	)	
	)	
<b>Defendant.</b>	)	

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Per Dr. Baecht's report, the examination consisted of a clinical interview and a review of documents. (Doc. 39 at 2-3.) Dr. Baecht diagnosed Defendant with the mental disease of "Schizophrenia, Continuous," with symptoms of "prominent paranoid delusional ideation as well as hallucinations" that are "chronic and severe and markedly impair his ability to function." *Id.* at 13. During the interview, Defendant displayed an adequate factual understanding of the pleas available to him and of the roles of the persons involved in this action. *Id.* at 14. However, he described at length his delusional beliefs that he has been abducted and held hostage by the government and that he is not currently charged with a crime, along with a defense strategy "rooted in his delusional belief system." *Id.* Defendant also "expressed significant paranoid ideation regarding his defense counsel and indicated he had no intention of working with his defense counsel as a result." *Id.* Based on these delusional beliefs, which "hinder his ability to communicate meaningfully, testify rationally, and make well-reasoned decisions," Dr. Baecht concluded that Defendant "does not have a rational and factual understanding of the nature and potential consequences of the proceedings against him nor the ability to assist properly in his defense." *Id.* at 15.

Based on Dr. Baecht's unchallenged expert opinion, the Government recommends that the Court find that Defendant is incompetent to stand trial. This Court finds by a preponderance of the evidence that Defendant is presently suffering from a mental disease rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The Report and Recommendation is adopted, and it is **ORDERED** pursuant to § 4241(d), that Defendant be committed to the custody of the Attorney General for a reasonable period of time, not to exceed four months, to determine

whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward.

**IT IS SO ORDERED.**

Dated: March 15, 2021

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**United States District Judge**